

It was alleged to be misbranded (1) in that the statement appearing on its label, "Each Tablet Contains Not Less Than: * * * Vitamin B₂ 348 Gammas," was false and misleading since it contained fewer than 348 gammas of vitamin B₂, 230 micrograms (gammas) per tablet; (2) in that it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient; and (3) in that it purported to be a food for special dietary use and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirement for vitamin B₁ and riboflavin (vitamin B₂) supplied by such food when consumed in a specified quantity during a period of 1 day, a statement of the proportion of the minimum daily requirement for calcium, iron, phosphorus, and iodine supplied by such food when consumed in a specified quantity during a period of 1 day, and a statement that the need for calcium pantothenate and vitamin B₃ in human nutrition has not been established.

The article was also alleged to be adulterated and misbranded under the provisions of law applicable to drugs as reported in the notices of judgment on drugs and devices, No. 968.

On November 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5777. Adulteration and misbranding of iron compound and yeast tablets. U. S. v. 4 Drums of Iron Compound and Yeast Tablets. Default decree of condemnation and destruction. (F. D. C. No. 8307. Sample No. 4811-F.)

On September 2, 1942, the United States attorney for the Northern District of Ohio filed a libel against 4 drums, each containing approximately 47,300 iron compound and yeast tablets, at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about February 14, 1942, by the Keith Victor Pharmacal Co., St. Louis, Mo.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that valuable constituents, vitamin B₁ and riboflavin, had been in whole or in part omitted or abstracted therefrom.

It was alleged to be misbranded in that the following statements on its label, "Each tablet contains B₁ (Thiamin Chloride) 50 International Units B₂ (Riboflavin) 25 Gamma," were false as applied to an article that contained not more than 25 International Units of vitamin B₁ per tablet, and not more than 15 gamma of riboflavin.

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 967.

On October 16, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5778. Adulteration and misbranding of The Stuart Formula Tablets. U. S. v. 420 Bottles of The Stuart Formula Tablets. Decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 9878. Sample No. 30573-F.)

Examination showed that this product contained less than 400 U. S. P. units of vitamin D per 3 tablets.

On May 12, 1943, the United States attorney for the Western District of Washington filed a libel against 420 bottles of The Stuart Formula Tablets at Seattle, Wash., alleging that the article had been shipped in interstate commerce, a portion on or about January 28 and February 18, 1943, from Pasadena, Calif., by The Stuart Co., and the remainder on or about April 16, 1943, from Los Angeles, Calif., by the Metropolitan Warehouse Co.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that a valuable constituent, vitamin D, had been in whole or in part abstracted or omitted therefrom.

It was alleged to be misbranded in that the statements appearing on its label, "Each 3 Tablets Standardized to Contain at Least: * * * Vitamin D . . . 800 U. S. P. or INT. Units (activated ergosterol) (2 times minimum need)," were false; and in that the statement, "Human need known—minimum requirements not yet established," appearing on the label, and as applied to vitamin B₃ and calcium pantothenate, was misleading since it engendered in the minds of the readers that it was the consensus of experts in the field of nutrition that these vitamins were necessary in human nutrition, whereas the need for these vitamins in human nutrition is not generally recognized by these experts as being established. It was alleged to be misbranded further in that it purported to be and was represented as a food for special dietary uses by reason in part of its calcium